

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #01012 **DATE:** August 3, 2001
The south ½ of North-South alley between St. Paul and Madison Avenues

PROPOSAL: Jack V. and Mary Hepburn O'Shea request to vacate the south ½ of the north-south alley between St. Paul and Madison Avenues in Block 68, University Place along their property Lots A-G, Langs Subdivision.

LAND AREA: 1,420 square feet, more or less

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| <u>RECOMMENDATION:</u> | The proposed vacation conforms with the 1994 Comprehensive Plan. Conditional Approval |
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The south ½ of north-south alley between St. Paul and Madison Avenues in Block 68, University Place, located in the NW 1/4 of Section 17, T10N, R7E of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.

APPLICANT: Jack V. And Mary Hepburn O'Shea
2039 Q Street
Lincoln, NE 68503
(402)414-2121

EXISTING ZONING: B-3 Neighborhood Business District

EXISTING LAND USE: North-south alley

SURROUNDING ZONING AND LAND USE: Surrounded on all sides by B-3 Neighborhood Business District, with a mixture of commercial uses, one single family residence and surface parking lots.

COMPREHENSIVE PLAN SPECIFICATIONS: In conformance. The Land Use Plan shows the property as Commercial.

ANALYSIS:

1. The applicant states that this application is to develop a parking lot to make the ingress and egress of business patrons easier to an existing and proposed building.
2. The Urban Development Department recommends approval of the vacation because it will help facilitate redevelopment in the area which is a part of the University Place Redevelopment Plan and redevelopment project area.
3. The Public Works and Utilities Department reports that the Lincoln Electric System and Alltel have existing utilities within the limits of the proposed vacation. Both have asked that a permanent easement, for the entire vacated corridor be established for the maintenance of existing and future facilities.

STREET AND ALLEY VACATION NO.010012
PAGE 2

4. The Department of Public Works and Utilities is also asking that the existing alley returns at St. Paul Avenue be removed at the petitioners expense and a commercial driveway be built to City Standards at the time of the parking lot construction. The Public Works & Utilities Department estimates the cost of the removal of the alley return at \$1,000.00.
5. The Department of Public Works and Utilities recommends approval of this vacation with the above mentioned conditions.
6. The Real Estate Department has yet to appraise the area of proposed vacation.

CONDITIONS:

1. Before the vacation request is scheduled on the City Council agenda the following shall be completed:
 - 1.1 The applicant shall file a surety with the City in the amount of \$1,000.00 to guarantee the installation of driveways in place of the alley returns.
2. This approves the vacation of the south ½ of the north-south alley between St. Paul and Madison Avenues in Block 68, University Place, located in the NW 1/4 of Section 17, T10N, R7E of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.
3. The City retains a permanent utility easement over the entire vacated area and a construction easement over the vacated area, Block 68, University Place.

Prepared by:

Becky Horner, Planner
Planning Department



Street & Alley Vacation #01012
N. 47th & St Paul Ave.



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

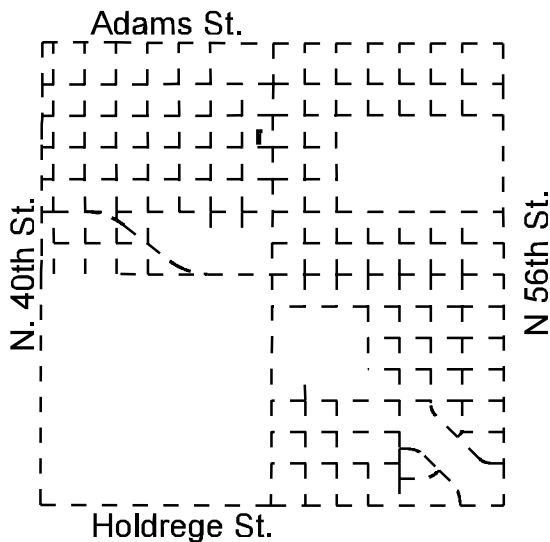
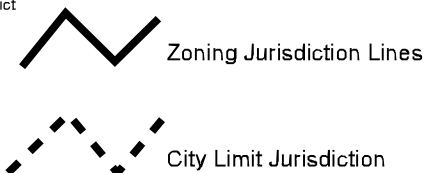


Street & Alley Vacation #01012 N. 47th & St Paul Ave.

Zoning:

| | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
Sec. 17 T10N R7E



Sheet ____ of ____

Date:

Lincoln City - Lancaster County Planning Dept.

INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached Petition to Vacate Public Way must also be filled out completely according to the instructions contained in the Instruction Sheet.

1. Name of Petitioner (Current Titleholder/s): Mary Hepburn O'Shea
If more than one individual, indicate if you are:
 joint tenants with right of survivorship, OR tenants in common
2. Petitioner's Address: 2039 Q #101
Lincoln, NE 68503
3. Petitioner's Telephone Number: (402) 474-2121
4. Social Security Number of each Petitioner or Federal Employer Identification No. if a corporation:
513-26-1767
5. Name of street, alley, or other public way sought to be vacated: North
north-south alley, 47th -48th
Street from St. Paul Street to south side of the east-west alley located in block 68
University Place, Lancaster County, Nebraska
6. Why are you seeking to have this street, alley, or other public way vacated?
To allow for developing a business parking site plan.
7. What use or uses do you propose to make of the public way should it be vacated?
Ingress and egress of business patrons to the existing and proposed building
8. Do you intend to purchase that portion of the vacated public way which abuts your property as described in the Petition to Vacate Public Way and/or other portions of the vacated public way?
 X YES - NO
11. Name and address of person to whom tax statement should be sent:
Mary Hepburn O'Shea
2039 Q Street
Lincoln, NE 68503

Prior to third reading of the Vacation Ordinance before the City Council, the property will be appraised. The purchase price of the portion abutting your property must be paid to the City Clerk at that time, or the property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not receive third reading until the full price of the entire public way proposed to be vacated has been paid.

***** IMPORTANT: BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN PROPERLY EXECUTED BY ALL TITLEHOLDERS TO YOUR PROPERTY AND ATTACH IT TO THIS INFORMATION SHEET.**

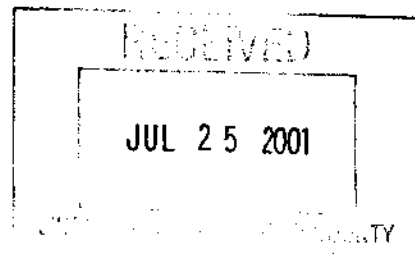
Lincoln



Nebraska's Capital City

July 25, 2001

Lincoln City/Lancaster County
Planning Commission
Lincoln, Nebraska 68508



RE: Vacating the North-South Alley in Block 68, University Place

Dear Ladies and Gentlemen::

The Department of Public Works and Utilities has received a proper petition from Jack V. and Mary Hepburn O'Shea, owners of Lots A through G, Lang's Subdivision of Lots 9 through 12, Block 68 University Place, to vacate the above described public right-of-way. Petitioner's request for this vacation is development of a parking lot.

Lincoln Electric System and Alltel both have existing utilities in this alley. Both have asked that a permanent easement be established for the entire vacated area.

The Department of Public Works also recommends that the existing alley return be removed and a commercial driveway be built to City standards at the time of the parking lot construction.

Public Works recommends approval of this vacation with the above mentioned conditions. This vacation contains an area of 1,420 square feet, more or less.

Sincerely,

Byron Blum
Engineering Services
Department of Public Works

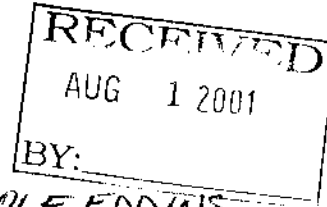
BK68vac idm wpd

cc: Allan Abbott
Ann Harrell
Kathleen Sellman
Marc Wullschleger
Roger Figard
Joan Ross
Clint Thomas
Dana Roper
Carole Eddins
Mary Hepburn

INTER-DEPARTMENT MEMORANDUM

TO: County Health Dept.
Larry Worrell, County Engineering
Rodger Harris, Building and Safety
Dennis Bartels, Public Works
Ray Hill, Planning Dept.

URBAN DEVELOPMENT DEPT - CTROLE EDDINS



*↑ Please
Comment*

FROM: Becky Honan, Planning Dept.

SUBJECT: Application Review SAV 01012

DATE: 7-26-01

Please find attached a request for Vacating north-south alley Blk. 68^{University Place}. Please review this application and return your comments to me by 8-5-01.

If you have any questions, please feel free to contact me.

*Recommend approval; this will facilitate
redevelopment in this area which is
part of the University Place Redevelop-
ment Plan and Redevelopment
Project Area.*

Eddins

